

Appl. No. 10/025,059  
Atty. Docket No. 8819  
Amdt. dated \_\_\_\_\_  
Reply to Office Action of 08/11/2003  
Customer No. 27752

### AMENDMENTS TO THE CLAIMS

#### Listing of Claims:

1. (currently amended) An absorbent article having an upper surface, a lower surface and a periphery, comprising:  
  
a topsheet having a bottom surface and a viewing surface positioned opposite to the bottom surface, the viewing surface facing upwardly towards the upper surface of the absorbent article;  
  
a backsheet having a garment facing surface and a user facing surface positioned oppositely to the garment facing surface, the backsheet being joined to the topsheet;  
  
an absorbent core having a top surface and a bottom surface positioned opposite to the top surface, the absorbent core being positioned between the topsheet and the backsheet; and  
  
the absorbent article having a colored portion and a non-colored portion, the colored portion and the non-colored portion being viewable from the viewing surface of the topsheet, the colored portion having a first shade and a second shade, the first shade being positioned substantially within the second shade, the second shade being different from the first shade, the shades operating to create a perception of depth within the absorbent article by a user looking upon the viewing surface of the topsheet.
2. (original) The absorbent article of Claim 1 wherein the first shade of the color is darker than the second shade of the color.
3. (original) The absorbent article of Claim 1 wherein the color of the first shade and the second shade of the colored portion and the non-colored portion are measured by the Hunter Reflectance Meter test according to the colors' L, a, and b values, the L, a, and b values being measured from the viewing surface of the topsheet inboard of the absorbent article's periphery.
4. (original) The absorbent article of Claim 3 wherein the color differences between the colored portion and the non-colored portion are measured at a first point, a second point, and a third point on the viewing surface of the topsheet inboard of the periphery of the absorbent article, the first point being measured within the first shade, the second point being measured within the second shade, and the third point being measured within the non-colored portion of

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the absorbent article, the color differences being calculated using the L, a, and b values by the formula  $\Delta E = [(L^*_X - L^*_Y)^2 + (a^*_X - a^*_Y)^2 + (b^*_X - b^*_Y)^2]^{1/2}$ .

5. (original) The absorbent article of Claim 4 wherein the difference in color between the first shade and the second shade is at least 3.5.
6. (original) The absorbent article of Claim 4 wherein the difference in color between the first shade and the non-colored portion is at least 6.
7. (original) The absorbent article of Claim 4 wherein the difference in color between the second shade and the non-colored portion is at least 3.5.
8. (original) The absorbent article of Claim 1 wherein the size of the colored portion ranges from about 5% to about 98% of the viewing surface of the topsheet.
9. (original) The absorbent article of Claim 1 wherein the first shade of the colored portion is positioned substantially centrally in relation to the second shade of the colored portion.
10. (original) The absorbent article of Claim 1 wherein the colored portion is an insert positioned between the topsheet and the absorbent core.
11. (original) The absorbent article of Claim 1 wherein the colored portion forms a part of the topsheet.
12. (original) The absorbent article of Claim 1 wherein the colored portion forms a part of the absorbent core whereby the colored portion is viewable from the viewing surface of the topsheet.
13. (original) The absorbent article of Claim 1 wherein the colored portion is a multi-layered insert positioned beneath the topsheet.
14. (currently amended) The absorbent article of Claim 1 wherein the colored portion comprises a multi-colored insert comprises positioned beneath the topsheet and comprising at least a first layer and a second layer wherein the first layer comprises one shade of the color and wherein the second layer comprises another shade of the color.
15. (original) The absorbent article of Claim 1 wherein the topsheet comprises a formed film topsheet.
16. (original) The absorbent article of Claim 1 wherein the topsheet comprises a nonwoven.

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17. (original) The absorbent article of Claim 1 wherein the topsheet comprises a formed film and a nonwoven.
18. (cancelled)
19. (new) The absorbent article of Claim 1 wherein the colored portion ranges from about 5% to about 100% of the viewing surface of the topsheet.